

MINUTES OF A REGULAR COUNCIL MEETING HELD AUGUST 18, 1980.

PRESENT:

Leland J. Roper	Mayor and presiding
Cecil Losee	Councilman
Thomas Callister	Councilman
Willis Morrison	Councilman
Don Bird	Councilman

ABSENT:

Max Bennett	Councilman
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OTHER PRESENT:

Neil Forster	City Superintendent
Dorothy Jeffery	City Recorder
Warren Peterson	City Attorney
David Hemingway	Zion First Nation Bank
Sherrie Terrell	City Resident
Mitchell Terrell	City Resident
Norman Mills	Mills Cable T. V.

Mayor Roper being present called the meeting to order at 8:00 p.m.
Dorothy Jeffery being present acted as secretary.

The Mayor stated the meeting was a regularly called council meeting and that notice of the time, place and agenda of the meeting had been posted at the principal office of the governing body and had been provided the Millard County Chronicle, the Millard County Gazette and the local radio station KNAK and to each member of the governing body by mailing copies of the Notice and Agenda two (2) days before to each of them.

MINUTES

Minutes of a Regular Council meeting held August 11th were approved upon a MOTION by Councilman Losee, SECONDED by Councilman Morrison and received the unanimous affirmative vote of all councilmen present.

REQUEST TO COMPLETE FIRST EAST STREET FROM FOURTH SOUTH TO SOUTH CITY LIMITS

Mitchell Terrell explained to council he had purchased the home at 92 East 400 South some time ago and the road on the east side of his property has never really been completed, it is in need of some gravel before stormy weather comes.

Superintendent Forster told council there is a problem with the road and Terrell's home although it is no fault of Mr. Terrells. When the house was built it did not meet the yard set back requirements, we will only build a twenty four (24) foot street by his home for the present, this is really not a problem at this time however, in the future when the proposed Master Plan for the city is complete and they utilize the full ninety nine (99) foot wide street there could be a very serious problem.

Sherrie Terrell asked if the city is going to make them move the house at some time in the future or could they put a basement under the home.

Mayor Roper stated there is a possibility the house may have to be moved and suggested when they get ready to put a basement under the home to first meet with the council and discuss the issue before the basement is put in.

Superintendent Forster said the city crew can put in fill dirt and then gravel the street if this would be satisfactory to the Terrells' for this winter and when the City Master Plan is complete the council can meet with the Terrells and solve the yard set back requirement at that time. Mr. Terrell agreed.

Councilman Bird made a MOTION to have the city crew put in fill dirt and gravel on the aforementioned street as soon as possible, MOTION SECONDED by Councilman Callister. Motion carried.

PROPOSED CABLE T.V. FOR DELTA CITY RESIDENTS

Mayor Roper explained to council Mr. Norman Mills had made a trip from Montana to attend council meeting because he had understood he was on the agenda and suggested council allow him some time, council agreed.

Mr. Mills told council he was interested in obtaining a franchise for cable T.V. within the Delta City area, he gave council a history of his background and education in communication. Mr. Mills then explained how cable T.V. is operated and the procedure of the installation.

Mayor Roper thanked Mr. Mills for his attendance at the meeting and told him the city would let him know when they could have him present to council a complete demonstration of his proposed cable T.V.

ZION FIRST NATIONAL BANK INDUCEMENT RESOLUTION AND AGREEMENT

David Hemingway, Vice-president of Zion First National Bank, informed council of the future plans of the Zion First National Bank that will be built in Delta, and stated the purpose of his attendance at the meeting was to request Delta City adopt a resolution of mutual inducement authorizing the execution of a memorandum of agreement with Zions Utah Bancorporation, A Utah corporation, or its affiliates, regarding the issuance of industrial development revenue bonds for a branch bank project.

Mr. Heninway read to council in full the Resolution and the Memorandum of Agreement. After a general discussion of both the Resolutaion and the Memorandum of Agreement, Councilman Don Bird MOVED the council adopt the Inducement Resolution, MOTION SECONDED by Councilman Thomas Callister, the voting was as follows:

Councilman Don Bird	Yea
Councilman Willis Morrison	Yea
Councilman Thomas Callister	Yea
Councilman Cecil Losee	Yea
Councilman Max Bennett	Absent

The resolution was then signed by the Mayor and attested by the City Recorder.

Resolution and Memorandum of Agreement are on file in the office of the City Recorder.

MODIFICATION OF REQUIREMENTS UNDER SUBDIVISION ORDINANCE

Attorney Warren Peterson presented each councilman with a copy of a Memorandum he had prepared (copy on file in the office of the city recorder) because of the questions that had arisen regarding waiver of certain requirements of the Subdivision Ordinance by the City Council. This memorandum has been prepared to provide a guideline for granting such modifications or waivers.

After each councilman had read and discussed the Memorandum Councilman Morrison MOVED the Memorandum be given to the Planning/Zoning Commission for their review and return it to the council with their recommendations, MOTION SECONDED by Councilman Losee and received the unanimous affirmative vote of all councilmen present.

Mayor Roper presented council with a letter from Bush & Gudgeall. After each of the councilmen had read the letter there was a general discussion of the recommendation made by Bush & Gudgeall in the letter which states; I would recommend that you follow your subdivision ordinance to the letter in refusing building permits until either the improvements or guarantees for improvements are satisfactorily in place.

Attorney Peterson gave each councilmen a copy of a Memorandum regarding the Bunker and Sons Block 17 Subdivision. The first two paragraphs reads as follows:

As directed at the council meeting held August 11, 1980 I consulted Paul Nielson of Architect Planners Alliance and Steve Young, the planning director for the Millard Community Council, for their opinion of the policy decision Delta City should make with regards to small subdivisions.

Their advise was specifically that the provisions of the Subdivision Ordinance be strictly enforced. They suggested that in order to provide for equitable application of provisions of the ordinance that the ordinance be more strictly enforced in all cases rather than relaxed in specific cases.


There was a general discussion of the Memorandum by the Council.

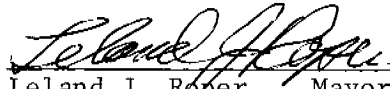
Following the discussion of Bush & Gudgeall's recommendation and Attorney Peterson Memorandum Councilman Morrison MOVED the council reaffirm their position on the requirements for the Bunker and Sons Block 17 Subdivision which is, the subdivision will in fact, be governed by the 1980 Delta City Subdivision Ordinance and instruct Attorney Peterson to prepare a letter to Bunker and Sons advising them of the councils decision, MOTION SECONDED by Councilman Bird and received the unanimous affirmative vote of all councilmen present.

Councilman Morrison told council Fire Chief, Bryce Ashby has requested council approval to purchase fire protection hats and coats for each of the firemen. After some discussion of the issue it was the decision of the council Mr. Ashby research the cost of the purchase and report back to council.

Councilman Morrison told council the insulation that was put in the fire station is coming off of the walls and needs some repair.

Mayor Roper asked if there was any further business or discussion, there being none Councilman Losee made a MOTION the meeting be adjourned, MOTION SECONDED by Councilman Bird. Meeting adjourned at 11:28 p.m.


Dorothy Jeffery, City recorder


Leland J. Roper, Mayor